AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

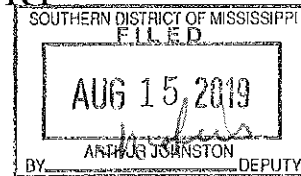for the

Southern District of Mississippi

United States of America	)	
v.	)	
Wilmer LOPEZ-Lopez	)	Case No. 3:19mj224 LRA
	)	
	)	
	)	
	)	
Defendant(s)	)	

SOUTHERN DISTRICT OF MISSISSIPPI
FILED
AUG 15 2019
ARTHUR JOHNSTON
BY_____DEPUTY

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of _____August 7, 2019_____ in the county of _____Madison_____ in the
_____Southern_____ District of _____Mississippi_____ , the defendant(s) violated:

Code Section	Offense Description
8 U.S.C. § 1326 (a)(1)& (2)	Illegal Reentry

This criminal complaint is based on these facts:

See attached affidavit

☑ Continued on the attached sheet.

_____
Complainant's signature

Brent Druery, SA HSI
Printed name and title

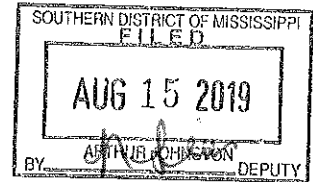Sworn to before me and signed in my presence.

Date: _____08/15/2019_____

_____
Judge's signature

City and state: _____Jackson, Mississippi_____

Linda R. Anderson, United States Magistrate Judge
Printed name and title

AFFIDAVIT FOR PROBABLE CAUSE FOR
A COMPLAINT AND ARREST WARRANT

SOUTHERN DISTRICT OF MISSISSIPPI
F I L E D

AUG 15 2019

BY_____ ARTHUR JOHNSTON _____ DEPUTY

I, Brent Druery, being duly sworn, do hereby depose and state the following:

INTRODUCTION AND AGENT BACKGROUND

1.   I am employed as a Special Agent with Homeland Security Investigations ("HSI"), assigned to the Resident Agent in Charge in Jackson, Mississippi. I have been so employed since November of 2002. I have received training and been assigned to conduct investigations of criminal violations of the United States Code as enumerated in Titles 8, 18, 19, 21, 22, 31 and various other federal statutes.

2.   I submit this affidavit based on information known to me personally from the investigation, as well as information obtained from others who have investigated the matter or have personal knowledge of the facts herein. This affidavit is being submitted in support of a criminal complaint against Wilmer LOPEZ-Lopez, and, as such, does not include all the information known to me as part of this investigation, but only information sufficient to establish probable cause for the issuance of a criminal complaint against Wilmer LOPEZ-Lopez for violating Title 8, United States Code, Sections 1326(a)(1) and (2), reentry of removed alien.
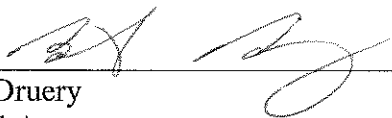
PROBABLE CAUSE

3.   On August 7, 2019, Immigration and Customs Enforcement (ICE) executed seven criminal and administrative search warrants at chicken processing company locations across the Southern District of Mississippi. During the execution of the search warrant at Peco Foods, 1039 West Fulton Street, Canton, Mississippi 39046, ICE officials encountered Wilmer LOPEZ-Lopez (Alien # XXXXX9255), an illegal alien from Guatemala. Record checks for LOPEZ-Lopez revealed two prior encounters by U.S. immigration officials. On or about May 12, 2009, LOPEZ-Lopez was encountered by U.S. immigration officials and processed as an Expedited

Removal. He was thereafter removed to Guatemala from Harlingen, Texas, on or about May 22, 2009. On or about September 11, 2009, LOPEZ-Lopez was encountered a second time by U.S. immigration officials and processed as a Re-instatement due to his prior removal. He was thereafter removed to Guatemala from New Orleans, Louisiana, on or about December 17, 2014. Queries within ICE databases revealed Wilmer LOPEZ-Lopez has not received consent from the Attorney General of the United States or Secretary of Homeland Security to apply for readmission, or to re-enter into the United States.

CONCLUSION

5.   Based on these underlying facts and circumstances, as set forth above, it is my belief that probable cause exists showing that Wilmer LOPEZ-Lopez, is a citizen and national of Guatemala, who reentered and was found in the United States after deportation and removal without having first obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, in violation of Title 8, United States Code, Section 1326(a)(1) and (2).

Respectfully submitted,

Brent Druery
Special Agent
Homeland Security Investigations

SWORN to before me on this _15th_ day of August, 2019.

UNITED STATES MAGISTRATE JUDGE